

**REMARKS/ARGUMENTS**

Election of Inventions

The Examiner has requested an election of a single invention for prosecution on the merits. The Examiner has identified the following inventions:

- |          |                                                                                    |
|----------|------------------------------------------------------------------------------------|
| Group I  | Claims 1-16, drawn to an apparatus for separating and purifying nucleic acids, and |
| Group II | Claims 17-20, drawn to a method for separating and purifying nucleic acids.        |

The Applicants elect the claims of Group I, claims 1-16 and, therefore, withdraw claims 17-20, reserving the right to request rejoinder in the event that the apparatus claims are found to be allowable or to present the withdrawn claims in a further prosecution.

The outstanding Office Action/Restriction requirement was mailed on 15 August 2008. The Examiner set a shortened statutory period for reply of 1 month from the mailing date. Therefore, no petition for an extension of time is believed to be required with the filing of this response. Nevertheless, the Applicants hereby make a conditional petition for an extension of time for response in the event that such a petition is required. No fees are believed to be due with this response. However, in the event that a fee for the filing of his response is insufficient, the Commissioner is authorized to charge any fee deficiency or to credit any overpayment to Deposit Account 15-0450.

Respectfully submitted,

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